

## Disclosure and Barring Service Policy

### 1. Background

- 1.1 Chichester College Group (the Group) is committed to safeguarding and promoting the welfare of children, young people and adults at risk, and expects all staff, contractors and volunteers to share this commitment.
- 1.2 As part of the recruitment process, a number of checks are undertaken including an enhanced check via the Disclosure and Barring Service (DBS), disqualification by association check (if applicable) and any relevant overseas criminal records checks.

### 2. Scope

- 2.1 This policy applies to all staff, volunteers, contractors and job applicants.
- 2.2 The policy should be read in conjunction with the Recruitment and Selection policy, Recruitment of Ex-offenders policy and Employee Data policy.

### 3. Principles

- 3.1 All staff employed by the Group will be DBS checked to an enhanced level, and this may include a check of the barred lists depending on the type of workforce the member of staff is employed in.
- 3.2 Where a new member of staff has resided abroad for 6 months or more within the last 5 years, the Group may undertake a criminal records check from the relevant country (ies).

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- 3.3 Staff employed on fixed term contracts of less than eight weeks will not be automatically DBS checked, unless there is a specific reason why this is necessary and they have unsupervised access to children, young people or adults at risk.
- 3.4 Volunteers will be DBS checked if their placements are for eight weeks or more. It is the Head of Learning or Business Head's responsibility to identify these individuals and arrange for a form to be completed.
- 3.5 Trainee teachers who are seconded to the Group for their teaching practice must be DBS checked by their training organisation but it is the Group's responsibility to check this. Heads of Learning using trainee teachers must check that the trainee has the relevant paperwork.
- 3.6 All host families accommodating the Group's students will be DBS checked. Host family DBS checks are subject to a separate process owned by the Accommodation Service.
- 3.7 New staff will be DBS checked once they have been offered a role at the Group, unless they have had a DBS certificate issued since 17 June 2013 and are signed up to the Update Service, in which case proof of this will be required for verification.
- 3.8 Staff will be required to bring their original DBS certificate into the Group for verification within one week of receipt.
- 3.9 Students on specific courses e.g. in Care and Early Years, PGCE and Sport require DBS checks and these will be co-ordinated through the relevant Head of Learning and Human Resources.

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- 3.10 Contractors working each day at the Group must be DBS checked to the required level (i.e. caterers, security and cleaning) by the relevant company. It is the responsibility of the Group member of staff designated to link with the contractor (e.g. Estates, Hospitality etc.) to seek assurance that all staff are DBS checked and to make a record of their DBS disclosure number. This assurance should be confirmed in writing annually. Where contractors are on site for a short time or have no contact with students, DBS checks will not be required, but they will need to be accompanied at all times by a member of Group staff who is DBS checked.
- 3.11 College Governors will be DBS checked by the Group, facilitated by the Clerk to the Corporation.
- 3.12 In addition, to the DBS checks described, anyone who is employed to provide early and/or later year's childcare to children who have not attained the age of eight, or will be directly concerned in the management of that childcare, will be required to sign a self-declaration form relating to the Disqualification by Association regulations, to confirm that they, or anyone they live with, have not been disqualified from this type of work, in accordance with the Disqualification under the Childcare Act 2006.
- 3.13 Anyone who is appointed to carry out teaching work will require an additional check to ensure they are not subject to a prohibition order issued by the Secretary of State, using the Employer Access Online Service.

#### **4. DBS Retention**

- 4.1 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

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- 4.2 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 4.3 The Group will not keep any photocopy or make an image of the Disclosure. However, notwithstanding the above, the Group will keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position and workforce for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.
- 4.4 For unsuccessful job applicants, the DBS form and any supporting documentation will be securely destroyed by Human Resources.
- 4.5 For successful job applicants, copies of the DBS forms are held securely in Human Resources during the DBS checking process, up to the certificate being dispatched and verified by Human Resources. It is then securely destroyed by Human Resources.
- 5. Criminal records process for new staff**
- 5.1 Job applicants attending for interview will be required to complete and submit a DBS form at interview and will be required to bring the appropriate identification to interview. The original identification documents will be verified prior to the submission of a Disclosure application.
- 5.2 All applicants will also be required to read the Standard/Enhanced Check Privacy Policy <https://www.gov.uk/government/publications/standard-and-enhanced-dbs-check-privacy-policy> prior to interview. Applicants will then be asked to sign a consent form at the interview to confirm that they have understood how DBS will process their personal data and what the options available to them are, for submitting an application.

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- 5.3 The DBS has a confidential process specifically for trans applicants, who can contact the sensitive applicants line on 0151 676 1452 or by email to [sensitive@db.s.gsi.gov.uk](mailto:sensitive@db.s.gsi.gov.uk) for further advice about completing the form.
- 5.4 Where an applicant has resided abroad for 6 months or more within the last 5 years, they may also be asked if they can provide a Certificate of Good Conduct (CGC) or equivalent, relating to this period. If the applicant is unable to provide a CGC, the Group may be required to undertake relevant overseas checks on their appointment.
- 5.5 The Group counter-signatories will take responsibility for following up with the DBS for any Disclosures which have not been received 60 days after being received by DBS. It is Human Resources' responsibility to ensure that clearance has been issued and the member of staff's responsibility to bring the original certificate in for verification.
- 5.6 If the DBS clearance or relevant overseas criminal records check have not been received by the new member of staff's start date, the manager may be required to undertake a risk assessment on their first day, to agree what control measures will be put in place in the interim. Both the manager and the new member of staff must sign the day 1 risk assessment and then return it to Human Resources prior to any work being undertaken. Human Resources will then determine whether the agreed control measures are appropriate. Managers are required to enforce the day 1 risk assessment measures until all criminal records checks have been received.
- 5.7 Any reprimand, caution, or conviction highlighted by a criminal records check that has not previously been disclosed to the Group, will be discussed with the individual member of staff. An assessment of the information will then be made before any decision is taken on whether their employment should continue. Termination of employment on the grounds that a check has proved unsatisfactory may be the outcome of a meeting held with a member of the Group Leadership

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Team, as all offers of employment are conditional on clearance checks satisfactory to the Group.

## **6 DBS process for continuing staff**

- 6.1 There is no requirement for staff to be checked again following receipt of a satisfactory check at the start of initial employment, unless the Group has concerns about a person's suitability to work with children or adults at risk. However, staff are contractually obliged to inform Human Resources if they receive a caution or criminal conviction following the issue of their contract of employment.
- 6.2 Staff working in Woodlands, Chichester, will have a DBS check every 3 years in line with the Disclosure and Barring Code of Practice (Accommodation) guidance document.
- 6.3 Staff who change roles within the Group may be required to have an additional DBS check undertaken if the new role requires a higher level of clearance than the original check (e.g. barred lists check).

## **7 Status of this policy**

- 7.1 The operation of this procedure will be kept under review by the Director of Human Resources. It may be reviewed and varied from time to time by the Resources Committee. It has been equality impact assessed to ensure that it does not adversely affect staff. If you would like to review this policy in a different format please contact Human Resources.

Reviewed in: March 2018

Date for next review: April 2019

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